IN THE HIGH COURT OF JUDICATURE AT BOMBAY
O.O.C.J.

WRIT PETITION NO.2186 OF 2003

Niranjan Thakur .. Petitioner

v/s.

1. The Income-tax Appellate
Tribunal, Mumbai & ors. ..Respondents

Mr.Sanjeev Shah i/by Mr.Rajesh Shah & Co. for petitioner.

Mr.R.V.Desai, senior counsel with Ms.S.V.Bharucha i/by Mr.P.Kapur for respondents.

CORAM : R.M.LODHA AND
J.P.DEVADHAR, JJ.

DATED : 24th September, 2004

P.C.

We are informed that hearing in the appeal before the Tribunal has already started and appeal is being heard by the Tribunal today.

2. We find from the proceedings that by way of ad-interim order, the recovery of the demand is stayed.

3. We do not deem it necessary to consider the diverse aspects of the writ petition on merits as in our considered view, the interest of justice shall be subserved if the ad-interim order passed by this court on 28th August, 2003 and continued until date is allowed to continue until the disposal of appeal being appeal No.IT (SS) A No.93/Mum/2001. We order accordingly.

4. The writ petition stands disposed of as observed above.

(R.M.LODHA, J.)

(J.P. DEVADHAR, J.)